

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order:

Chairman Bill Wilson, on February 3, 2009 at 8:30 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Bill Beck, Vice Chairman (R)
Rep. Michele Reinhart, Vice Chairwoman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Bart Campbell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 286, 1/29/2009; SB 42, 1/29/2009

Executive Action: HB 211, HB 225, HB 250, HB 291,
HB 297, HB 159

HEARING ON SB 42

Opening Statement by Sponsor:

00:00:32 Sen. Jesse Laslovich (D), SD 43, opened the hearing on
SB 42, Provide substitution procedure for work comp
judge.

Proponents' Testimony:

00:02:26 Jim Shea, Judge, Montana Workers Compensation Court
00:04:02 Nancy Butler, Montana State Fund
00:04:24 Bob Worthington, Montana Self Insurers Association
00:04:53 Bruce Spencer, Property Casualties Insurers
Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:31 Rep. B. Beck
00:06:01 Hon. Shea
00:06:09 Rep. B. Beck
00:06:28 Hon. Shea

Closing by Sponsor:

00:06:57 Sen. Laslovich

HEARING ON HB 286

Opening Statement by Sponsor:

00:08:15 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 286,
Require insurer to use auto repair cost identified by
estimating system.

Proponents' Testimony:

00:09:54 Bruce Halcrow, Proprietor, Capitol Collision, Helena, Montana

00:13:02 Todd Litton, Board Member, Montana Collision Repair Specialists, Billings

EXHIBIT(buh25a01)

00:19:18 Max Yates, Proprietor, Yates Body Shop, Butte, Montana

EXHIBIT(buh25a02)

00:27:54 Donna Fastenau, Proprietor, Hanks Body Shop, Billings, Montana

EXHIBIT(buh25a03)

00:30:34 Mike Mitchell, Self, Great Falls, Montana

00:31:06 Janet Chaney, Executive Director, Montana Collision Repair Specialists

00:32:47 Andrew Geiger, Montana Collision Repair Specialists

Opponents' Testimony:

00:36:14 Greg VanHorssen, State Farm Insurance Co.

00:42:10 John Metropoulos, Farmers Insurance Co.

00:48:01 Bruce Spencer, Property Casualties Insurers Association

00:49:34 Jacqueline Lenmark, American Insurance Association

00:51:37 Mona Jamison, Allstate Insurance Co.

00:53:19 Bob Biskupiak, Independent Insurance Agents Association of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

00:54:52 Rep. Vance

00:55:25 Rep. Sonju

00:59:38 Rep. Berry

01:00:12 Mr. VanHorssen

01:01:04 Rep. Berry

01:01:18 Mr. VanHorssen

01:01:39 Rep. Milburn

01:02:35 Rep. Sonju

01:03:28 Mr. Geiger

01:05:07 Chairman Wilson

01:05:42 Ms. Chaney

01:06:11 Rep. Boland

01:06:39 Mr. Yates

01:07:59 Rep. Boland

01:08:23 Mr. Yates

01:09:55 Rep. Hunter

01:10:26 Ms. Chaney
01:11:02 Rep. Hunter
01:11:41 Ms. Chaney
01:11:56 Mr. Halcrow
01:13:31 Rep. B. Beck
01:16:00 Rep. Sonju
01:16:34 Rep. Fleming
01:17:01 Mr. Metropoulos
01:17:53 Rep. Furey

Closing by Sponsor:

01:18:18 Rep. Sonju

01:21:40 Chairman Wilson calls for recess.
01:38:22 Chairman Wilson resumes meeting.

EXECUTIVE ACTION ON HB 250

01:39:37 **Motion:** Rep. Reinhart moved that **HB 250 DO PASS.**

Discussion:

01:40:53 Rep. Berry

01:41:24 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 291

01:42:27 **Motion:** Rep. Reinhart moved that **HB 291 DO PASS.**

01:42:50 **Vote:** Motion failed 9-9 by roll call vote with Rep. Augare, Rep. Beck, Rep. Hunter, Rep. Klock, Rep. Milburn by proxy, Rep. Reichner, Rep. Vance, and Rep. Welborn voting aye. Reps. Arntzen and Milburn voted by proxy.

EXECUTIVE ACTION ON HB 225

01:44:57 **Motion:** Rep. Reinhart moved that **HB 225 DO PASS.**

Discussion:

01:45:27 Rep. Vance
01:46:16 Rep. Hunter
01:46:45 Rep. Reichner

01:47:41 **Vote:** Motion failed 9-9 with Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye. Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 297

01:49:22 **Motion:** Rep. Reinhart moved that **HB 297 DO PASS.**

Discussion:

01:49:32 Mr. Campbell, Legislative Services Division

01:50:04 **Vote:** Motion failed 4-14 by roll call vote with Rep. Fleming, Rep. Furey, Rep. Noonan, and Rep. Reinhart voting aye. Rep. Milburn voted by proxy.

01:51:16 **Motion/Vote:** Rep. Reinhart moved that **HB 297 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 211

01:52:07 **Motion:** Rep. Welborn moved that **HB 211 DO PASS.**

01:53:10 **Motion:** Rep. Welborn moved that **HB 211 BE AMENDED.**
EXHIBIT (buh25a04)

Discussion:

01:53:45 Mr. Campbell
01:54:38 Rep. Arntzen
01:55:03 Rep. Welborn
01:55:25 Mr. Campbell
01:56:09 Rep. Arntzen
01:56:24 Mr. Campbell
01:57:12 Rep. Reinhart
01:57:57 Rep. Welborn
01:58:02 Rep. Reinhart
01:58:24 Rep. Welborn
01:58:38 Rep. Reichner
01:59:24 Rep. Welborn
01:59:40 Rep. Reichner
02:00:31 Ronna Alexander, Convenience Store Association
02:01:19 Rep. Beck
02:02:00 Rep. Welborn
02:03:36 Rep. Reinhart
02:04:21 Chairman Wilson

02:04:33 **Vote:** Motion carried unanimously by voice vote.
Rep. Milburn voted by proxy.

Discussion:

02:05:04 Rep. Reichner
02:05:39 Rep. Augare
02:05:46 Chairman Wilson
02:06:20 Rep. Arntzen
02:07:24 Rep. Furey

02:07:52 **Vote:** Motion carried 15-3 by roll call vote with
Rep. Augare, Rep. Noonan, and Rep. Reinhart voting no.
Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 159

02:09:25 **Motion:** Rep. Augare moved that **HB 159 DO PASS.**

02:09:43 **Motion:** Rep. Augare moved that **HB 159 BE AMENDED.**
EXHIBIT(buh25a05)

Discussion:

02:10:27 Rep. Augare
02:11:10 Chairman Wilson
02:11:16 Rep. Reinhart
02:11:30 Ms. Lenmark, American Insurance Association

02:12:40 **Vote:** Motion carried unanimously by voice vote.
Rep. Milburn voted by proxy.

Discussion:

02:13:15 Rep. Augare
02:13:35 Ms. Lenmark

02:14:07 **Motion:** Rep. Augare moved that **HB 159 DO PASS AS
AMENDED.**

02:14:09 **Vote:** Motion carried unanimously by voice vote. Rep.
Milburn voted by proxy.

02:15:16 Rep. Arntzen

ADJOURNMENT

02:15:38 Adjournment 10:45 A.M.

Santella Baglivo, Secretary

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Additional Exhibits

Additional Documents:

EXHIBIT ([buh25aad.pdf](#))